

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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2004 APR 12 P 3:01

JOHN C. VOTTA JR.)
Plaintiff)

Civil Action No. 04-10135-GAO

v.)

MARTHA COAKLEY)
Defendant)

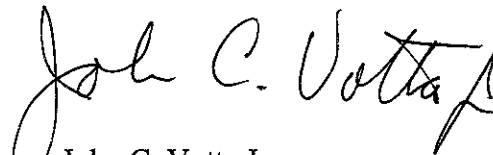
PLAINTIFF'S RESPONSE TO MOTION HEARING
AND MOTION TO AMEND OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS.

Now comes the plaintiff in the above captioned matter and respectfully moves this Honorable Court to postpone the hearing on defendant's motion to dismiss pending this Court's consideration of plaintiff's amended opposition to defendant's motion to dismiss. For reason, plaintiff asserts that there is a substantial material fact that defeats defendant's motion to dismiss and, further, relies on his memorandum of reasons in support of his response to motion hearing and motion to amend opposition to defendant's motion to dismiss.

Local Rule 7.1(A)(2) Certificate

On April 6, 2004, plaintiff conferred with counsel for the defendant, David M. Lieber, in an attempt to narrow or resolve the issues.

Respectfully submitted,



John C. Votta Jr.
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Lowell, MA. 01852
978 459-8449

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon David M. Lieber, A.A.G., Criminal Bureau, One Ashburton Place, Boston, MA.02108, by certified mail today.

Date:

4-12-04

Signed:

